

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 06, 2019

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nathan Mountain Chief

Case Number: 0980 2:18CR00178-RMP-1

Address of Offender: Spokane County Jail

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: March 6, 2019

Original Offense: Escape from Custody, 18 U.S.C. §§ 751(a), 4082(a)

Original Sentence:	Prison - 6 Months; TSR - 12 Months	Type of Supervision: Supervised Release
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Asst. U.S. Attorney: George J.C. Jacobs, III Date Supervision Commenced: May 17, 2019

Defense Attorney: Colin G. Prince Date Supervision Expires: May 16, 2020

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 08/07/2019, 08/23/2019, 09/11/2019, 10/16/2019, and 10/21/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

[illegible]

8 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

9 **Mandatory Condition #2:** You must not unlawfully possess a controlled substance,
including marijuana, which remains illegal under federal law.

Supporting Evidence: Mr. Chief is alleged to have violated mandatory conditions number 1 and 2 by being in possession of methamphetamine and Suboxone medication on or about September 13, 2019, while housed in the Spokane County Jail. On September 13, 2019, according to the affidavit of facts on file in this matter, probable cause was established to charge the offender with Possession of a Controlled Substance, in violation of RCW 69.50.4013, a Class C felony, and Possession of Legend Drug without Prescription, in violation of RCW 69.41.030, a misdemeanor.

On May 20, 2019, Mr. Nathan Mountain Chief signed his conditions relative to case number 2:18CR00178-RMP-1, indicating he understood all conditions as ordered by the Court, to include mandatory conditions number 1 and 2, as noted above.

Specifically, and according to the police reports and affidavit of facts as received by the U.S. Probation Office relative to this matter, on September 13, 2019, while the client was housed in the Spokane County Jail, officers were requested to retrieve the client from his cell. Upon reaching his door, the client was immediately observed by the officer to have a small clear plastic bag in his right hand which he then placed on the bunk next to him. The client was directed to become fully dressed and he began to do so while continually “glancing” at the bag he had previously lay on his bunk. Once clothed, the client exited his cell as directed and the officer secured the suspected illicit substance from the bunk, observing that it contained a small piece of foil and a smaller bag of what appeared to be several pieces of a hard white crystal like substance. The bag was then turned over to the sergeant on duty.

At approximately 5:24 p.m. on the day in question, a Spokane County sheriff’s deputy responded to the Spokane County Jail in response to the client’s alleged possession of an illicit substance. The deputy took possession of the evidence and noted that it was described by the sergeant as containing a crystal like substance and several Suboxone strips. Upon testing the crystal like substance, the substance reflected as being presumptive positive for methamphetamine. The Suboxone strips located were researched on drugs.com and found to be a prescription only legend drug. Mr. Chief was subsequently contacted by the responding deputy; however, the deputy noted the client chose to invoke his rights. No further questions were posed by the deputy with respect to the incident.

On October 31, 2019, a warrant was issued for the arrest of the client relative to this matter.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 5, 2019

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/6/2019

Date